

### **DETAILED ACTION**

1. This office action is in response to applicant's arguments filed on March 11, 2008.
2. Claims 1-13 and 24-37 are pending. Claims 14-23 have been cancelled.
3. Claims 1-5,13,24,27,29 and 30 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Flynn et al. (US Patent 5,962,390) in view of Dickey (US 3,410,118) for the reasons set forth in the previous office action.
4. Claim 6 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Flynn et al. (US Patent 5,962,390) in view of Dickey (US 3,410,118) and further in view of De Pas et al. (US Patent 3,163,028) for the reasons set forth in the previous office action.
5. Claims 7 and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Flynn et al. (US Patent 5,962,390) in view of Dickey (US 3,410,118) and further in view of Tatch et al. (US 5,431,827) for the reasons set forth in the previous office action.
6. Claims 8,9,11 and 12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Flynn et al. (US Patent 5,962,390) in view of Dickey (US 3,410,118)

and Tatch et al. (US 5,431,827) and further in view of Krugmann (US 4,252,546) for the reasons set forth in the previous office action.

7. Claims 25,26 and 28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Flynn et al. (US Patent 5,962,390) in view of Dickey (US 3,410,118) and further in view of Tatch et al. (US 5,431,827) and Krugmann (US 4,252,546) for the reasons set forth in the previous office action.

8. Claims 31-37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Flynn et al. (US Patent 5,962,390) in view of Dickey (US 3,410,118) and further in view of Hallman et al. (US 2003/0196277) for the reasons set forth in the previous office action.

### ***Response to Arguments***

9. Applicant's arguments filed regarding Flynn in view of Dickey, De Pas and Tatch have been fully considered but are not persuasive. The applicant's declaration Under 37 C.F.R 1.131 filed March 11, 2008 is not sufficient to overcome the rejections of record. The applicant has not accounted for the entire period during which diligence is required. The MPEP 2138.06 recited that a statement showing that the subject matter "was diligently reduced to practice" and stating that there were no weeks or months that the invention was not worked on is not enough and that even a 2-day period lacking activity

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may be fatal. Applicant shows data for sporadic dates between conception and reduction to practice and has not accounted for the entire period.

10. Applicant's arguments filed regarding Flynn in view of Dickey, De Pas, Tatch, Krugmann and Hallman have been fully considered but are not persuasive. The examiner argues that Flynn clearly teaches similar dry-cleaning solvents, such as perfluoroethers, perfluorocarbons, and hydrofluorocarbons, as the instant application and these solvent would be expected to encompass the "nonaqueous, non-oleophilic, apolar, inert" properties. Furthermore, Flynn further teaches cleaning textiles by contacting the fibers with the dry-cleaning composition using conventional agitation such as stirring, shaking or ultrasonic agitation, removal of the cleaning composition, rinsing and air drying. Dickey teaches an automated dry cleaning appliance in which dry cleaning solvent is provided to clothing and the basket of the machine is rotated in opposite directions and the method provide improved cleaning and less use of solvent. One of ordinary skill would have been motivated to utilize the dry-cleaning methods and compositions of Flynn in the apparatus of Dickey because Dickey teaches improved cleaning with the apparatus and less solvent use. Ultrasonic agitation and shaking meet the limitations of random oscillations. Tatch et al. teach the filtration means and permeate filtration (column 6, lines 35-50).

***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AMINA KHAN whose telephone number is (571)272-5573. The examiner can normally be reached on Monday through Friday, 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vasu Jagannathan can be reached on (571) 272-1119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lorna M Douyon/  
Primary Examiner, Art Unit 1796

/Amina Khan/  
Examiner, Art Unit 1796  
April 9, 2008